

Via EFS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|------------------|--|---|----------------------------------|
| Applicant(s): | Johannes Hubertus Wieringa, <i>et al.</i> | : | Group Art Unit: 1624 |
| Application No.: | 10/564,193 | : | Examiner: Noble E. Jarrell |
| Filed: | January 06, 2006 | : | Attorney Docket No. : 2003.796US |
| For: | Method for the Preparation of Enantiomerically pure Mirtazapine | : | Confirmation No: 7506 |

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the duty of disclosure under 37 C.F.R §1.56, it is requested that the documents listed on the accompanying Forms PTO/SB.08a and 08b be considered and made record in the above-identified patent application. Other than cited U.S. patents and published patent applications, copy(ies) of these documents ☒ are enclosed ☐ were filed in related U.S. Application No(s) _____ filed _____, respectively. Since the Examiner is believed to have ready access to the cited U.S. parents and published patent applications, copies of these documents are not herewith transmitted, but will be provided upon request.

(b) No fee is believed due because:

- ☐ This Information Disclosure Statement is being submitted concurrently with the filing of the above-identified application; **or**
- ☐ This Information Disclosure Statement is being submitted within three (3) months of the filing date of the above-identified application, **or**
- ☐ This Information Disclosure Statement is being submitted concurrently with a Request for Continued Examination (RCE), **or**
- ☐ This Information Disclosure Statement is being submitted prior to the mailing of a first Office Action on the merits.

(c) ☐ This Information Disclosure Statement is being submitted before the mailing date of any final action, notice of allowance or an action that otherwise closes prosecution; and

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; **or**

- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement; **or**
- ☐ The Commissioner is hereby authorized to charge the requisite fee of \$180 to Deposit Account No. **50-4205**.

(d) ☒ This Information Disclosure Statement is being submitted on or before the payment of the issue fee; and

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; **or**
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement; **and**
- ☐ The Commissioner is hereby authorized to charge the requisite fee listed on the attached Fee Transmittal Sheet.

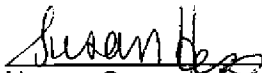
☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. **50-4205**.

The submission of these documents is not to be presumed as an admission that these documents are prior art. The documents are being furnished solely for their possible utility in the examination of the present case.

Respectfully submitted,

Dated: **September 24, 2010**
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